IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION.

WRIT PETITION NO.3151 OF 2003

Sonba Pandurang Yedage, .. Petitioner

Vs

1. Vinayak Balu Shingade and ors. .. Respondents

Mr Uday Warunjikar, for the petitioner.

None for the respondents.

CORAM : D.B.BHOSALE,J.

DATE : 13th December, 2004.

PC:

1. This petition is directed against the order dated 27.6.2001 passed by the learned Addl. District Judge, Satara in Misc. Civil Appeal No.121 of 1999, by which the application-Exhibit-5 came to be rejected and the order granting injunction in favour of respondent no.1 was vacated. The petitioner claims possession over the suit property on the basis of the sale deed dated 28.8.1997. Though the impugned order was passed on 27.6.2001, this Court had granted injunction in terms of prayer clause (b) on 30.4.2003 only for a period of two months. The petitioner never bothered to get the interim order extended after 3.7. 2003. Keeping that in view and considering the overall facts and circumstances of the case, in my opinion, interest of justice will be served if the parties are directed to

maintain status-quo as of today till the disposal of the suit. Hence, the following order.

(i) The parties are directed to maintain status-quo as of today till the disposal of the suit. The trial Court shall decide the suit, bearing R.C.S. No.170/98, on merits in accordance with law as expeditiously as possible and preferably within a period of six months from the date of production of this order. The petitioner is directed to produce a copy of this order before the trial Court within four weeks from today failing which the order of status-quo will stand vacated without further reference to the Court.

(ii) The trial Court shall decide the suit on merits uninfluenced by this order. I shall not be understood to have expressed any opinion on merits of the case.

Certified copy expedited.

(D.B.BHOSALE, J.)